

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-5, 7-29, and 31-36 are pending.

35 U.S.C. §103 Claim Rejections

Claims 1-5, 7-29, and 31-36 are rejected under 35 U.S.C. §103(a) for obviousness over U.S. Patent No. 5,398,074 to Duffield et al. (hereinafter, "Duffield") in view of U.S. Publication No. 2003/0066085 A1 to Boyer et al. (hereinafter, "Boyer") (*Office Action* p.2). Applicant respectfully traverses the rejection.

Claim 1 recites a method of displaying recently accessed television channels comprising "generating a primary display screen having multiple small display screens, each small display screen corresponding to one of the selected channels", and "displaying the primary display screen on a television through a web browser program."

Duffield and/or Boyer do not teach or suggest displaying the primary display screen (of the selected television channels) on a television through a Web browser program, as recited by the combination of elements in claim 1.

The Office recognizes that Duffield does not disclose displaying video through a Web browser program (*Office Action* p.3). Duffield only describes a television for multiple picture display of television channels. There is no indication whatsoever of a Web browser program in Duffield. There is not even a suggestion of a computing device or system that would possibly support the implementation of a Web browser program in Duffield.

1 Boyer simply describes that television program information, such as
2 television program guide data, is provided as Web pages in an HTTP format
3 (*Boyer* ¶¶0068 and ¶0072). Further, the television program guide may be accessed
4 using a standard Web browser (*Boyer* ¶0073). The Office relies on these sections
5 of Boyer (e.g., ¶¶ 0068, 0072-73), and that Boyer describes video clips as
6 television program information (*Office Action* p.3). Boyer further describes that a
7 Web browser supports viewing video clips (*Boyer* ¶0073).

8 However, the television program information described in Boyer, including
9 the video clips, are contained in a media library of a computer system – these are
10 not television channels (*Boyer* ¶¶ 0065-66). Boyer does not disclose or even
11 suggest that television channels are displayed in a primary display screen on a
12 television through a Web browser program, as recited in claim 1. Boyer describes
13 that televisions 108, 112, and 120 shown in Fig. 3 all receive a television signal
14 110, 114, and 118, respectively (*Boyer*, ¶¶ 0069-71). There is no discussion or
15 indication that any of these television signals are displayed on a television through
16 a Web browser program, as Applicant claims. Further, the Office recognizes that
17 Boyer does not disclose small display screens corresponding to a selected channel
18 (*Office Action* p.7). Accordingly, Boyer also does not disclose a television
19 channel displayed in the primary display screen, as recited in claim 1.

20 Additionally, there is no motivation or any reason to combine Duffield and
21 Boyer. Duffield makes no mention of a Web browser program and Applicant
22 respectfully disagrees that it would have been obvious to modify Duffield with
23 Boyer to display a television program via a Web browser as the Office contends
24 (*Office Action* p.3). The Office recognizes that Duffield does not disclose
25 displaying video through a Web browser program and Boyer clearly does not

disclose or even suggest that television channels are displayed in a primary display screen on a television through a Web browser program, as recited in claim 1. There is no basis to combine Duffield and Boyer and conclude that it would be obvious to display "the primary display screen on a television through a web browser program", as recited in claim 1.

Duffield and/or Boyer do not teach or suggest that a television channel is displayed on a television through a Web browser program, as recited in claim 1. Accordingly, claim 1 along with dependent claims 2-5 and 7-19 are allowable over the Duffield-Boyer combination and Applicant respectfully requests that the §103 rejection be withdrawn.

The Office continues to cite references that describe Web-based information (e.g., HTML frames and/or Web sites) being displayed with a Web browser application on a computer display. The Office also continues to cite unrelated references that simply describe multiple television channels viewing on a television. To date, not a single reference of record, or the combinations of the references, even suggests that television channels are displayed in a primary display screen on a television through a web browser program, as recited in claim 1.

This being the Applicant's seventh response to the sixth different combination of references cited to reject claim 1, it is apparent that the Office is using hindsight reconstruction to pick and choose among isolated references to substantiate a rejection. This practice has been held to be impermissible. The teaching or suggestion to make a claimed combination *and* the reasonable expectation of success must both be found in the prior art, and not based on

1 applicant's disclosure (MPEP §2142). Accordingly, Applicant respectfully
2 requests allowance of the subject application.

3
4 Claims 20, 26, and 34-35 recite similar features of displaying the primary
5 display screen through a web browser program, the primary display screen having
6 small display screens that correspond to selected channels. For the reasons
7 described above in the response to the rejection of claim 1, claims 20, 26, and
8 34-35 are allowable over the Duffield-Boyer combination and Applicant
9 respectfully requests that the §103 rejection be withdrawn.

10 In addition, claims 21-25 are allowable by virtue of their dependency upon
11 claim 20 (either directly or indirectly), and claims 27-28 are allowable by virtue of
12 their dependency upon claim 26.

13
14 Claim 29 recites a primary display screen displayed through an interactive
15 display environment including World Wide Web content, and the primary display
16 screen having small display screens that each correspond to a selected channel.
17 For at least the reasons described above in the response to the rejection of claim 1,
18 claim 29 along with dependent claims 31-32 are allowable over the
19 Duffield-Boyer combination and Applicant respectfully requests that the §103
20 rejection be withdrawn.

21
22 Claim 33 recites displaying the primary display screen on a television
23 through a web browser program, and the primary display screen having small
24 display screens each corresponding to a selected channel. For at least the reasons
25 described above in the response to the rejection of claim 1, claim 33 is allowable

1 over the Duffield-Boyer combination and Applicant respectfully requests that the
2 §103 rejection be withdrawn.


3
4 Claim 36 recites the primary display screen being displayed through a web
5 browser program, and the primary display screen having small display screens
6 each corresponding to a selected channel. For at least the reasons described above
7 in the response to the rejection of claim 1, claim 36 is allowable over the
8 Duffield-Boyer combination and Applicant respectfully requests that the §103
9 rejection be withdrawn.

10
11 **Conclusion**

12 Pending claims 1-5, 7-29, and 31-36 are in condition for allowance.
13 Applicant respectfully requests reconsideration and issuance of the subject
14 application. If any issues remain that prevent issuance of this application, the
15 Examiner is urged to contact the undersigned attorney before issuing a subsequent
16 Action.

17
18 Respectfully Submitted,

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20 Dated: Dec 27, 2004

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